

Applicant:	MS Tek, Ltd.
Agent:	Dekker/Perich/Sabatini
Location:	8901 Edith Blvd., NE,
Property Size:	12.86 acres (approximately)
Existing Zone:	A-1 with Special Use Permits for Landscape Contractor's Yard and Wholesale Distribution, Machine Shop
Proposed Zoning/SUP	Amend Special Use Permit to add retail distribution of plants and landscape materials, outdoor storage, nursery, caretaker residence and office
Recommendation:	Approval

Summary: This request is an amendment to existing Special Use Permits for a Landscape Contractor's Yard and Wholesale Distribution on 9.5 acres to add retail distribution of plants and landscape materials, outdoor storage, nursery, caretaker residence and office uses on a property that now totals 12.86 acres located at the southwest corner of Edith Blvd. and El Pueblo Rd. (CSU-91-5; CZ-91-5). This request is the result of a zoning violation in which the applicant expanded the business onto the adjacent 4 acre property to the south. The site will continue to accommodate growing areas, greenhouses, and an office for the Plant World establishment, and will add an office and caretaker's residence and additional growing areas.

Staff Planner: Catherine VerEecke, Program Planner

Attachments:

1. Application
2. Land Use and Zoning Maps
3. Notice of Violation
4. Previous Special Use Permits
5. Letter of support
6. Site Plan (Commissioners only)

Bernalillo County Departments and other agencies reviewed this application from 4/24/06 to 6/07/06. Their comments were used in preparation of this report, and begin on Page 12.

AGENDA ITEM NO.: 10
County Planning Commission
June 7, 2006

CSU-60021 Dekker/Perich/Sabatini, agent for MS Tek Ltd., requests an amendment to a Special Use Permit for a Landscape Contractor's Yard & Wholesale Distribution to include retail distribution of plants and landscape materials, outdoor storage, nursery, caretaker residence, and office on Tract A, Lands of Rowlands Plant World, and also on Lots A, B, C, & D, Lands of Estanilao Rosales Jr, SP-85-338, which currently have a Special Use Permit for a Machine Shop on Lots C & D, on the southwest corner of El Pueblo Road and Edith Boulevard, zoned A-1, containing approximately 12.86 acres. (D-16)

AREA CHARACTERISTICS AND ZONING HISTORY
Surrounding Zoning & Land Uses

	Zoning	Land use
Site	A-1 with Special Use Permits for Landscape Contractor's Yard and Wholesale Distribution	Landscape Contractor's Yard and Wholesale Distribution of plants and landscape materials, outdoor storage, nursery, caretaker residence and office
North	Right-of-way	Future Rail Runner Station
South	A-1	Vacant
East	A-1	Single family residential
West	--	Railroad

BACKGROUND:

The Request

The applicant is requesting an amendment to existing Special Use Permits for a Landscape Contractor's Yard and Wholesale Distribution on approximately 9.5 acres to add retail distribution of plants and landscape materials, outdoor storage, nursery, caretaker residence and office uses on a property that now totals 12.86 acres located at the southwest corner of Edith Blvd. and El Pueblo Rd. It accommodates the Rowlands Plant World Business. The first Special Use Permit was granted for the westerly two-thirds of the original site (6.8 acres) for Landscaping Contractor's Yard and Wholesale Distributor (CSU-91-5). Conditions included a grading and drainage plan and a final site plan. The second Special Use Permit was granted for the two acre northeast portion of the site to allow the Landscape Contractors Yard and Wholesale Distributor and also Retail Sales. The request was originally for C-1 zoning but was amended to limit the use to those associated with the business (CZ-91-5).

This current request is the result of a zoning violation (Attachment 3) in which the applicant expanded the business onto the adjacent 4 acre property to the south, part of which has a Special Use Permit for a Machine Shop (CZ-80-33). The original site with the approved Special Use Permits will thus continue to accommodate growing areas, growing houses, a caretaker's residence, and an office for the Plant World establishment, and will expand to the adjacent property to add an office and caretaker's residence (formerly part of the machine shop business) and additional growing areas. Also under this request, the applicant states the intent to continue to operate the business but also to add more retail for the general public for the entire site as a use, as opposed to only wholesale distribution. The site plan shows several buildings to be constructed, including a metal shed, a storage/warehouse, and a number of growing houses.

Request justification.

In the response to Resolution 116-86, the agent states that the proposed uses are consistent with the site's vicinity and with the Comprehensive Plan Rural Area Designation in that the property will be engaged in an activity related to agricultural production. It is therefore advantageous to the community.

Surrounding Land Uses and Zoning

The vicinity of the site has both light industrial and residential uses. The subject property dominates the area and now covers about 13 acres, extending north to El Pueblo Rd. near Paseo del Norte. The property to the north (across El Pueblo Rd.) is currently under construction for the North Valley Rail Runner Station.

Although the 4 acre property to the south of the site still has A-1 zoning, beyond that the applicant has purchased another 2.17 acre tract of land to be used as part of the nursery, which is the subject of another Special Use Permit request (CSU-60020).

On the west side of the railroad tracks several properties have residential uses and another property has a Special Use Permit for contractor's-type uses (CSU-92-35). Properties to the southwest of the site near the railroad spur, have M-1 zoning (CZ-81-61), and beyond this they have A-1 zoning, with Special Use Permits for non-residential uses. These include a 5.9 acre property with a Special Use Permit for M-1 Uses (CZ-85-6), which currently has a tree

service on it and a 4.5 acre property which has had several Special Use Permits, with the most recent a for a Contractor's Yard (Landscape Business) (CZ-20). Also further south on the west side of Edith Blvd., beyond the landscape contractor's yards, properties are all residential with the exception of the Mt. Carmel Church.

On the east side of Edith Blvd., properties mainly have single family residences on them. However, beyond these properties to the east M-1/SU-1 (IP) zoning exists in both City and County.

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

The site is located in the Rural Area as delineated in the Albuquerque/Bernalillo County Comprehensive Plan. The principal goal for this area is to "maintain the separate identity of rural areas as alternatives to urbanization by guiding development compatible with their open character, natural resources, and traditional settlement patterns."

Policy 3.a of the Plan (Land Use) states that "Rural Areas as shown by the Plan Map shall generally retain their rural character with development consisting primarily of ranches, farms, and single-family homes on large lots; higher density development may occur at appropriate locations – within rural villages or planned communities. Overall gross densities shall not exceed one dwelling unit per acre."

Policy 3.g states that the following policies shall guide commercial development in rural areas:

- Small-scale, local industries which employ few people and may sell products on the same premises are the most desirable industrial use.
- Neighborhood and/or community-scale rather than regional-scale commercial centers are appropriate for rural areas. Strip commercial development should be discouraged and, instead, commercial development should be clustered at major intersections and within designated mountain and valley villages.

North Valley Area Plan

This property is located within the Rural area of the North Valley Area Plan. The Plan states, following the Comprehensive Plan, that overall densities should not exceed one dwelling unit per acre in the Rural Area.

Policy 2 (Land Use) states 'The City and County shall stabilize residential zoning and land use in the North Valley Area.' This may be accomplished through the following:

- a. Limit the location, duration, and type of new uses allowed by Special Use Permit.
- b. Cancel discontinued Special Use Permits granted where existing conditions of approval are not met and permits that are otherwise in violation of the Zoning Ordinance.
- c. Retain existing County A-1 zoning as the only Rural Agricultural zone intended to provide agricultural activities and spacious development.
- d. Require landscape buffering and other measures necessary to limit potential impacts of non-residential uses on residential areas.
- e. Retain the low density character of the North Valley.

Policy 3.a (Land Use) states that “the City and County shall retain existing residential zoning on Alameda Blvd., Second Street, and on future roadway corridors.”

Policy 7.1 states the City and County shall stabilize land use to protect affordable housing and land presently zoned for housing.

- a. Maintain and expand areas zoned for residential uses including A-1, R-1, M-H
- b. Limit encroachment of non-residential uses into residential areas
- c. Encourage residential zoning of parcels with residential uses.

The property is also located within the Edith Blvd. Corridor Area, which extends from Menaul Blvd. to Roy/Tramway Rd. west to the Santa Fe Railroad and east to the Municipal Limit. It is in the North Edith Blvd. Sub-Area that extends north from Osuna Road to the Sandia Reservation. The area nearby the site is characterized mainly as ‘rural’ and also as having a number of recognized historic properties.

The “Trend Scenario” notes an apparent trend toward heavy commercial and light industrial uses along Edith Blvd, encroaching into residential areas and for Edith to become a commercial route.

Under the “Comprehensive Plan” and “Preferred Scenarios”, the North Valley Area Plan states the current situation would be preserved with residential development and less traffic along Edith Blvd., recognizing its historic character. Economic development would be limited to home occupations in the residential areas and small-scale businesses along Edith Blvd. It states there is some industrial development adjacent to Paseo Del Norte.

The “Preferred Scenario” still states a preference for uses allowed under the existing zoning.

The Plan states that the “land use pattern should reflect the present zoning” (Appendix, p.4).

Bernalillo County Zoning Ordinance

Resolution 116-86 lists policies for evaluating a Zone Map changes and Special Use Permit applications.

- A. A proposed land use change must be found to be consistent with the health, safety, and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan of other Master Plans and amendments thereto including privately developed area plans which have been adopted by the County.

COUNTY PLANNING COMMISSION

JUNE 7, 2006

CSU-60021

- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
 - 1. There was an error in the original zone map.
 - 2. Changed neighborhood or community conditions justify a change in land use or
 - 3. A different use category is more advantageous to the community as articulated in the Comprehensive Plan or other County Master Plan, even though (1) and (2) above do not apply.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. A proposed land use change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the County may be:
 - 1. denied due to lack of capital funds; or
 - 2. granted with the implicit understanding that the County is not bound to provide the capital improvements on any special schedule.
- H. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- I. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted land use plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- J. A zone change request which would give a zone different from the surrounding zoning to a strip of land along a street is generally called a "strip zoning." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone due to traffic or special adverse uses nearby.

Section 18. Special Use Permit Regulations

- A. By Special Use Permit after receipt of a recommendation from the Bernalillo County Planning Commission, the Board of County Commissioners may authorize the location of uses in any one in which they are not permitted by other sections of this ordinance; the Board of County Commissioners may likewise authorize the increase in height of buildings beyond the limits set fourth by sections of the zoning ordinance. With such permits, the Board of County Commissioners may impose such conditions and limitations as it deems necessary:
1. To ensure that the degree of compatibility of property uses which this section is intended to promote and preserve shall be maintained with respect to the special use on the particular site and consideration of existing and potential uses of property within the zone and the general area in which the use is proposed to be located.
 2. To ensure that the proper performance standards and conditions are, whenever necessary, imposed upon uses which are, or which reasonably may be expected to become, obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public, or a portion thereof, by reason of the emission of noise, smoke, dust, fumes, vibration, odor, or other harmful or annoying substances;
 3. To preserve the utility, integrity and character of the zone in which the use will be located, without adversely affecting adjacent zones;
 4. To ensure that the use will not be or become detrimental to the public interest, health, safety, convenience, or the general welfare.

ANALYSIS:

Surrounding Land Use and Zoning

The applicant's nursery business has existed on 9 acres of the subject property for more than 15 years under two Special Use Permits, and has recently physically expanded, which requires amending the Special Use Permit. The existing and proposed uses appear to be generally compatible with the uses nearby the property along Edith Blvd. that exist under M-1 zoning or Special Use Permits or are next to the railroad tracks. With a large nursery area, it may also fit in with the rural, residential uses in the area.

Plans

The request is consistent with the Comprehensive Plan and the North Valley Area Plan land use designations and policies that both call for the vicinity of the site to be predominantly rural but allow for some commercial activities, namely the development of locally-owned and operated businesses. The proposed uses, particularly the large amount devoted to nursery-type uses, appears be consistent with the 'Rural' Area designation.

Zoning Ordinance

This request appears to be consistent with Resolution 116-86 due to 'changed neighborhood

conditions'. There have, indeed, been changes in the immediate vicinity of the site along Edith Blvd. and El Pueblo Rd. including the development of several new landscape-type businesses. The Special Use Permit will also help limit the activities on the site and the impacts to nearby properties by imposing conditions of approval.

However, although a commercial use may be justified on the site, the applicant should explain in greater detail how this request is consistent with the North Valley Area Plan.

Agency Comments

Most departments and agencies have provided comments for this request. Environmental Health staff comments indicate that the development is connected to Albuquerque/Bernalillo County water and sewer but that existing well and septic systems on the site must either be permitted or abandoned. Public Works staff comments state that a grading and drainage plan may be required with additional development.

Zoning comments state that the front portions of the property on El Pueblo Rd. and Edith Blvd. must meet the 20 foot landscape setback requirements. Staff recommends that ground cover (gravel) and shrubs be added, and that the type of irrigation system and maintenance responsibilities be clarified. In addition, the plans for expansion need to be clarified. Parking shown on the site may not be sufficient if business expands, as indicated on site plan. Clarification is also needed for activities in the 'growing houses' and provide necessary parking. The caretaker's residences may not be used for commercial purposes.

Building staff's comments also state that building permits will be required for all structures.

Analysis Summary

Zoning	
Resolution 116-86	Use is generally consistent with commercial uses in the area. There are some changed neighborhood conditions. Is an expansion of an existing use that is consistent with the area.
Requirements	Comply with the Zoning Ordinance requirements for landscaping; caretaker's residence cannot be used as an office. Parking shown on the site may not be sufficient if business expands, as indicated on site plan.
Plans	
Comprehensive Plan	Consistent with designation of the general area of the site as commercial.
Area Plan	Will allow development of a locally owned and operated business.
Other Requirements	
Environmental Health	Address issues of existing wells and septic systems on the site.
Public Works	Grading and drainage plan, as needed. Re-plat property to allow for widening of existing access easement. Address Flood Plain issue.

Conclusion

The applicant has operated his business (Plant World) on the approximately 9 acres since the early 1990s under a Special Use Permit and now wishes to enlarge the property to cover another four acres.

It appears that the current request is appropriate for this site and its vicinity and that it will have minimal impact on the residences to the east of the site and on the general neighborhood in which the site will be located.

A letter of support from the property owners to the immediate south has been provided (Attachment 5).

The applicant should also clarify the plans for expansion of the business as it relates uses (e.g., retail), to parking, and to structures shown on the site. The site plan does not fully adhere to County landscaping requirements (e.g., front setbacks).

FINDINGS:

1. This request is for an amendment to a Special Use Permit for a Landscape Contractor's Yard & Wholesale Distribution to include retail distribution of plants and landscape materials, outdoor storage, nursery, caretaker residence, and office on Tract A, Lands of Rowlands Plant World, and also on Lots A, B, C, & D, Lands of Estanilao Rosales Jr, SP-85-338, which currently have a Special Use Permit for a Machine Shop on Lots C & D, on the southwest corner of El Pueblo Road and Edith Boulevard, zoned A-1, containing approximately 12.86 acres.
2. This current request is the result of a zoning violation in which the applicant expanded the business onto the adjacent 4 acre property to the south, without the appropriate zoning.
3. The property is located in the Rural Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
4. The request is not in significant with the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan in that the proposed nursery activities will be consistent with the "Rural Area" designation.
5. The request is consistent with Resolution 116-86 in that changed neighborhood conditions, including the expansion of non-residential activities nearby the site, justify the land use change.
6. The request has substantial neighborhood support.
7. This Special Use Permit (CSU-60021) supercedes the three Special Use Permits currently existing on the site (CSU-91-5; CZ-91-5; CSU-80-33).
8. The request is consistent with the health, safety, and general welfare of the residents of Bernalillo County.

RECOMMENDATION:

APPROVAL of CSU-60021, based on the above Findings, with the following Conditions.

Catherine VerEecke
Program Planner

CONDITIONS OF APPROVAL

1. Activities on the site shall be limited to those shown on the site plan.
2. Parking on the site plan shall be modified to accommodate the expanded retail activities that will take place on the site.
3. Lighting shall be site specific. Shielded or cutoff lighting fixtures shall be provided so that no fugitive light crosses into adjacent lots.
4. The residential structure on the site shall be used only as a caretaker's residence and not as an office.
5. There shall be a solid wall at least six-foot high along the property line (north) abutting residential uses to be installed within 6 months of the establishment of residential uses.
6. There shall be the equivalent of a 20 foot landscape setback along Edith Blvd. and El Pueblo Rd. and a 6 foot wide landscaped buffer between the business and the adjacent residential properties to the south. The landscape buffer shall be installed within six months of the establishment of residential uses.
7. Issues regarding existing well and septic systems on site shall be addressed with the Office of Environmental Health within 3 months of the final Board of County Commissioners' approval.
8. The private access and utility easement accessing Lot A, B, C and D shall be widened to 40 feet and named through the Bernalillo County Subdivision process or as agreed upon by Bernalillo County Public Works Division within six months of the final Board of County Commissioners' approval. A 30 foot paved apron is required at the intersection of this access easement and Edith Blvd.
9. Flood Plain issues shall be addressed with the Flood Plain Administrator, Public Works Department shall be addressed within six months of the final Board of County Commissioners' approval.
10. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
11. A revised site development plan consistent with the Conditions of Approval, including required information on parking, paving, landscaping, and notes on landscaping maintenance, shall be submitted for review and approval to the Bernalillo County Zoning Administrator within two months after the final Board of County Commissioners' approval.
12. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

BERNALILLO COUNTY DEPARTMENT COMMENTS

Building Department:

Corrections listed below must be corrected for approval:

1. Building permits will be required for all proposed structures.

Environmental Health:

1. There is a commercial water and sewer acct. from the water utility auth. [acct. 23014253] and also a commercial irrigation [acct. 23015476].

2. There is a well identified on the site plan near the caretaker quarters. This well isn't permitted with the County. Application for a well permit is required from the Office of the State Engineer, permit application, inspections, water sample analysis and approval is required by the Office of EH.

3. There are three old septic tank wastewater permits for this site [HSTL-91199; HSTL-91204; HSTL-82007].

There is an office building at the SW area; a caretaker residence at the mid. south and a caretaker residence at the northwest and these structures appear to be connected to the septic tanks. Per the requirements of the Bernalillo County EH Wastewater ordinance the septic tanks must be abandoned and the structures associated with septic tank service must connect to sewer; and proof of abandonment and proof of connection to sewer be provided to the Office of EH and proof of water source to these same buildings.

Zoning Administrator:

CSU-60021 - requesting nursery & contractor's yard (wholesale/retail sales, 2 caretaker's residences, offices & outdoor storage)

SITE PLAN COMMENTS

Additional details and/or changes are needed for this proposal in order to meet current zoning requirements for the following:

1. Landscaping
 - a. based on the combined area of all parcels proposed under the request, a 20-foot landscape buffer along the perimeter of the property adjacent to El Pueblo Road and Edith Boulevard is required
 - i. these areas should include trees, shrubs, low-growing plants, and ground cover
 1. vegetative coverage should meet the minimum area requirements (75% coverage within 2 years)
 2. with a 1 tree per 30-foot calculation, a total of 38 trees are necessary along El Pueblo Road & a total of 19 trees are needed along Edith Blvd.
 3. gravel or rock is recommended for ground cover
 - ii. the use of low-water trees and plants is strongly encouraged
 - iii. the type of irrigation system to be used needs to be noted
 2. Off-street parking
 - a. number of calculated spaces - some of the proposed parking areas are dependent upon future development

- i. "FUTURE PARKING AREA 'A'" is noted as being contingent on the expansion of retail sales, and proposes to accommodate 20 spaces upon future development
 1. only 14 spaces are noted on this version of the plan
 2. the total area of the building is 6,000 square feet; 30 spaces would be required for a structure of this size to be used for sales, display & storage
- ii. 40 spaces are indicated to be provided on "Lot C" of the proposal
 1. it is unclear as to where these spaces will be sited on the property, as no reference is made on the plan to their exact location on the site
- b. number of required spaces
 - i. as a "growing house" as listed on the site plan does not fall into a described activity listed in the parking section of the ordinance (Sec. 21), it has been determined that these structures to be used in connection with the proposal most similarly mirror a "warehouse" as listed in Sec. 21.A.8. (reference Sec. 21.C.2. for ZA's determination opinion).
 - ii. additional information is needed in order to complete the parking calculation (2 parking spaces are required for each 3 employees on the maximum working shift)
 - iii. associated with this, sufficient area for the parking of trucks, loaders, tractors, ATVs, etc. to be used in connection with the operation is required to be provided. This area needs to be incorporated into the plan.
 - iv. furthermore, although some areas of the property may be utilized in the near future as designated parking areas to accommodate all vehicles on the site, a review of the site plan showing total build-out seems to indicate that such space will be limited when significant areas of the property will be used for outdoor plant storage and large structures will be in place for use as growing houses.

SUGGESTED APPROACH

1. a shorter approval period (5 - 7 years) could be established at this time for the use with an expected review in the near future to look at any changes necessary on the site, or
2. a specific condition limiting the total addition of building area(s) to a designated amount (i.e., 10,000 square feet); at any point in the future, if the total amount of building area exceeds the specified limit, the permit would require full review and approval to assess the intensity concerns at that time
- b. the site plan indicates that the off-street parking area is surfaced with gravel. This area should be:
 - i. surfaced with concrete or bituminous material
 - ii. appropriately marked (striped) to show the location of each parking space
- c. spaces designated for disabled individuals have been referenced on the provided plan, but this number may fluctuate after final determination of the total number of required spaces is made
 - i. these spaces are specifically required to meet size, surfacing, convenience, and designation requirements (Sec. 21.B.)
3. Signs
 - a. a sign is referenced on the site plan toward the NE corner of the lot. The height and size of the structure needs to be noted on the site plan.

COMMENTS RELATING TO THE USE

If approved, use of both of the caretaker's units is to be only for residential purposes and cannot be used as offices. Additionally, approval of the request and subsequent site plan will limit the owner's use of the property to only those activities specifically approved in any conditions or on the site plan (i.e., "outdoor plant storage" as indicated on the site plan does not include equipment storage, repair work, or vehicle parking).

For example, in situations where an owner wishes to use an area of the property previously approved and designated as "outdoor plant storage" for outdoor parking, equipment storage, or building placement, such changes will require an amendment (either administratively or through the CPC/BCC process) prior to implementation. It is important to understand that the approved site plan controls all development on the site, and that perceived "minimal" changes require County review and approval.

Zoning Enforcement:

Must comply with below listed comments.

Owner is currently making application for change of Special Use to allow Wholesale and retail distribution of plants and landscape material.

Owner is currently in violation of the Special Use for Machine Shop and is using the lot for storage of landscape equipment and material.

Fire:

NO BUILDING PERMIT FOUND FOR "BUILDING UNDER CONSTRUCTION"

Public Works:

DRAN:

1. This property is subject to the Bernalillo County code chapter 38. Prior to any additional development of this property a drainage submittal meeting the requirements of this code will be required.

2. A grading and drainage plan is not required, at this time, as a condition of approval of this Special Use Permit request, because this request appears to be consistent with the current use of the property and the indicated changes to the current development will require Building and Zoning permits, and Public Works Development review.

3. A portion of this property appears to be within a designated 100-year floodplain as shown on the National Flood Insurance Program's Flood Insurance Rate Map (FIRM). Development must not alter the limits of, or the Base Flood Elevation (BFE) of the specific floodplain. Development within and around the floodplain will have to be addressed specifically by a grading and drainage plan. The property may be subject to the flood insurance requirements of the Federal Emergency Management Agency (FEMA). Flood insurance is likely to be required for development of these properties encumbered by floodplain."

4. "Elevation Certificates" prepared by a surveyor registered in the state of New Mexico are required of any future structure(s) or structure addition(s) with substantial improvements (50%) within a floodplain.

COUNTY PLANNING COMMISSION

JUNE 7, 2006

CSU-60021

DRE: 1. The private access and utility easement accessing Lot A, B, C and D shall be widened to 40 feet and named. A 30 foot paved apron is required at the intersection of this access easement and Edith Blvd.

TRANS:

No comments received.

Parks & Recreation:

REVIEWED, NO COMMENT.

Sheriff's:

No comment received

COMMENTS FROM OTHER AGENCIES

MRGCOG:

Edith Blvd is identified as a minor arterial on the Long Range Roadway System with a right of way exception of 68'. In addition, the LRBS identifies Edith Blvd as having on street bike lanes. Please coordinate to ensure these project elements are considered and implemented as appropriate. Same comments as above.

AMAFCA:

No comment.

City Planning Department:

No comments.

City Public Works:

Project # ZCSU 60021

Findings

1. Edith Boulevard is a minor arterial with a minimum right-of-way of 68 feet as designated on Long Range Roadway System map.
2. Edith Boulevard is proposed to contain on-street bicycle lanes as designated on the Long Range Bikeway System map.

Conditions

1. Dedication of a minimum 34 feet of right-of-way from the centerline of Edith Boulevard a minor arterial as designated on the Long Range Roadway System map.
2. Construction of the bicycle lane improvements adjacent the subject property consistent with the Long Range Bikeways System maps.

Transportation Development: No adverse comments.

COUNTY PLANNING COMMISSION

JUNE 7, 2006

CSU-60021

Water Resources:

NO COMMENT.

City Transit:

No comments received.

City Open Space:

Regarding projects to be heard before the County Planning Commission on June 7, 2006, Open Space does not have any comments.

NMDOT

Case Number: ZCSU 60021 Case description: Special Use permit for Contractors Yard
Location: 8101 Edith Blvd NE Type of development (Residential/commercial):
Commercial Possible Impacted NMDOT roadway(s): NM 423 Paseo Del Norte and NM
47 (2nd Street) Departments Comments: None since there is no direct significant impact
to the state road system
TA/ma 5/3/06

APS

The request for a special use permit (specific use for nursery and contractor's yard) for the wholesale and retail distribution of plants and landscape material, outdoor storage and display of plants and landscape materials, nursery, caretaker's residence and office will have no adverse impact to the APS district.

NEIGHBORHOOD ASSOCIATIONS:

Alameda North Valley Association

North Edith Corridor Association